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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,439	07/26/2001	Rabindranath Dutta	AUS920010440US1	7368
7590 Frank C. Nicholas CARDINAL LAW GROUP Suite 2000 1603 Orrington Avenue Evanston, IL 60201			EXAMINER DASS, HARISH T	
			ART UNIT 3692	PAPER NUMBER
			MAIL DATE 10/31/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/915,439

**Applicant(s)**

DUTTA, RABINDRANATH

**Examiner**

Harish T. Dass

**Art Unit**

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hambrecht et al (hereinafter Hambrecht – US 6,629,082) in view of Kiselik (US 2001/0034631) and Herschkorn (US 6,691,094).

Re. Claim 1, 11, and 21 Hambrecht discloses a method, system and software,  
receiving a request for an enhanced certificate from a requestor at a **certificate authority server** [Figures 1-3B, 5-7C9 L47-L62; C12 L24-L48],  
receiving a bid from a purchaser with a purchaser enhanced certificate at the aggregate exchange server [C14 L59-L65],  
determining whether the bid matches the offer [C15 L48-L51],  
and  
receiving agreement of the matched supplier and purchaser at the exchange server to execute the transaction [C9 L48-L62; C31 L55-L60; C30 L58-L63].  
Hambrecht does not explicitly disclose determining whether the requester qualifies for the enhanced certificate,  
issuing the requestor the certificate if the requester qualifies,

receiving an offer from a supplier with a supplier certificate, sending the supplier the purchaser enhanced certificate from the aggregate exchange server, and sending the purchaser the supplier enhanced certificate from the exchange server, if the bid matches the offer, and anonymous transaction.

However, Kiselik discloses determining (evaluation) whether the requester qualifies for the enhanced certificate (qualification information), issuing the requestor the certificate (see buyers and seller eligible or ineligibility) if the requester qualifies [see Figures 3, 4 and associated descriptions paragraphs 32-33], and receiving an offer from a supplier with a supplier certificate (see price quote), and sending the supplier the purchaser enhanced certificate (RFQ) from the aggregate exchange server, and sending the purchaser the supplier enhanced certificate (price quote) from the exchange server, if the bid matches the offer [see Figures 3, 4 and associated descriptions paragraphs 32-33 and 04, 36-37]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hambrecht and include determining whether the requester qualifies for the enhanced certificate, issuing the requestor the certificate if the requester qualifies, receiving an offer from a supplier with a supplier certificate, and sending the supplier the purchaser enhanced certificate from the aggregate exchange server, and sending the purchaser the supplier enhanced certificate from the exchange server, if the bid matches the offer, as disclosed by Kiselik, to provide a computer system to qualify buyers and seller based on buyer's and seller's profiles and match the buyer and seller based on the profiles for particular transaction. Neither Hambrecht nor Kiselik discloses

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anonymous transaction. However, Herschkorn discloses anonymous transaction [col. 3 lines 25-35, 54-65; col. 10 lines 45-62]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hambrecht and Kiselik and include anonymous transaction, as disclosed by Herschkorn, to enable the trading party to trade with counterparty without disclosing his/her privacy or identification information in auction using internet website.

Re. Claims 2 and 12, Hambrecht discloses wherein the certificate authority server comprises the aggregate exchange server [C12 L24-L48; C23 L39-L62 – see network].

Re. Claims 4-5, , 14-15, & 22 Hambrecht discloses wherein issuing the requester an enhanced certificate comprises implementing at least one security feature, and wherein the security feature is selected from a group consisting of a user password, a public key cryptograph [C26 L39-L50; C24 L10-L15], a digital signature [C9 L48-L67]. Hambrecht does not explicitly disclose (5) an XML based security standard.

However, XML is well known used with Internet transaction. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hambrecht and include an XML based security standard to use standard acceptable security protocol known and used by others.

Re. Claims 3 and 13, Hambrecht discloses wherein the enhanced certificate comprises financial data and identification data [account information; C9 L48-L52; C13 L43-48].

Hambrecht does not explicitly disclose credit rating data, and financial routing data.

However, these are well known. For example, to apply for credit, the lender (financial institution) obtains credit rating before providing credit. Similarly, financial data routing is used for electronic transfer of fund to buyer/seller accounts. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosures of Hambrecht, Kiselik and Herschkorn to evaluate creditworthiness of buyer/seller and provide direct fund transfer to/from seller/buyer account.

Re. Claims 6-7, 16-17 and 23 Hambrecht discloses providing a hyperlink to the aggregated exchange server wherein the hyperlink comprises the certificate request, and wherein the hyperlink is provided on a web site for access by the requestor [C11 L54-L60].

Re. Claims 8-10, 18-20, and 24-25 Kiselik further discloses verifying a portion of requestor financial information with an outside server, and wherein verifying the portion of requestor financial information comprises determining eligibility for an enhanced certificate [see out side source paragraph 32] to obtain eligibility information from third party such as Equifax for credit rating. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hambrecht and include the above limitations to verify the eligibility of the traders by

third party. Kiselik discloses updating requestor financial information [Abstract]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosures of Hambrecht, Kiselik and Herschkorn and include updating requestor financial information to reflect the timely rating of the requestor.

### ***Response to Arguments***

2. Applicant's arguments filed 8/22/07 with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

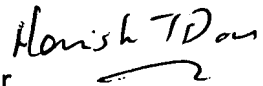
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Abdi Kambiz can be reached on 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass  
Primary Examiner  
Art Unit 3692



10/28/07